

- IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

4. The Temporary Restraining Order expired on November 28, 2007 at 11:59 p.m.

5. On November 28, 2007, the Court entered an Order stating that “[b]y agreement of the parties, the above-entitled case is dismissed without prejudice in favor of arbitration.” A true and correct copy of this Order is attached hereto as **Exhibit B**.

6. The parties have agreed that the Temporary Restraining Order Bond should be released by the Court. On November 30, 2007, counsel for Plaintiff exchanged e-mails with counsel for Defendant regarding release of the Temporary Restraining Order Bond. Counsel for Defendant represented that they will not oppose this Motion.

WHEREFORE, Plaintiff respectfully requests this Court enter an Order releasing the Temporary Restraining Order Bond (Bond No. 6499430) undertaken by Safeco Insurance Company of America on behalf of CaremarkPCS Health, L.P. in connection with the Temporary Restraining Order entered by the Court on November 13, 2007 in the above-referenced matter.

Respectfully submitted,

CAREMARKPCS HEALTH, L.P.

By: /s/ Peter J. Kocoras
One of Its Attorneys

Howard M. Pearl
Peter J. Kocoras
Courtney M. Oliva
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, Illinois 60601
(312) 558-5600 (telephone)
(312-558-5700 (facsimile)

CERTIFICATE OF SERVICE

The undersigned attorney states that he caused a true and correct copy of the foregoing UNOPPOSED MOTION FOR RELEASE OF THE TEMPORARY RESTRAINING ORDER BOND to be filed with the clerk of the court on November 30, 2007, by using the CM/ECF system, which will send a notice of electronic filing to the following:

Richard C. Godfrey, Esq.
Andrew B. Bloomer, Esq.
Michael A. Duffy, Esq.
Kirkland & Ellis LLP
200 East Randolph Drive
Chicago, Illinois 60601
(Tel): 312-861-2000
(Fax): 312-861-2200

By: /s/ Peter J. Kocoras
Attorney for CaremarkPCS Health, L.P.